

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAGDA EISENBERG,

Plaintiff,

-against-

NEW ENGLAND MOTOR FREIGHT, INC.&
ANDRE HEMRAJ,

Defendants.

-----X
NOTICE OF MOTION

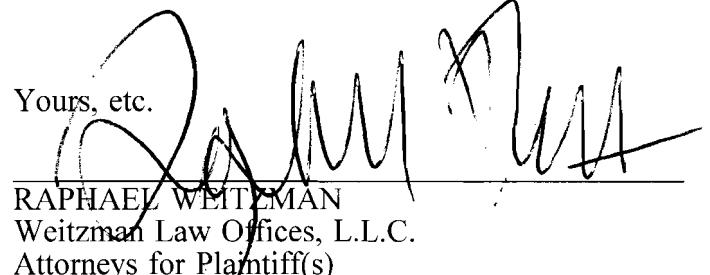
Civil Action File No.:
08CV1469

Please take notice that upon the affidavit of Raphael Weitzman, Esq., attorney for the Plaintiff, a copy of which is annexed, and upon all other moving papers, the undersigned will move this court at the United States District Court, Southern District of New York, Courtroom 20B, U.S. Courthouse, 500 Pearl St, New York NY 10007, on April 7, 2008 at 9:30 AM or as soon thereafter as counsel can be heard for an Order pursuant to General Municipal Law 50-e(5) granting leave at this time, to serve the annexed proposed Notice of Claim against the City of New York after the expiration of the statutory period for such service specified in subdivision (1) of Section 50-e of the General Municipal Law and for such other and further relief as may be just, with the costs of this motion.

Please take further notice that upon the affidavit of Raphael Weitzman, Esq., attorney for the Plaintiff, a copy of which is annexed, and upon all other moving papers, the undersigned will move this court at the United States District Court, Southern District of New York, Courtroom 20B, U.S. Courthouse, 500 Pearl St, New York NY 10007, on April 7, 2008 at 9:30 AM or as soon thereafter as counsel can be heard for an Order granting permission to Amend the Complaint pursuant to FRCP 15 and for such other and further relief as may be just, with the costs of this motion.

Dated: New York, New York
March 11, 2008

Yours, etc.


RAPHAEL WEITZMAN
Weitzman Law Offices, L.L.C.
Attorneys for Plaintiff(s)
MAGDA EISEMBERG
110 Wall Street
Eleventh Floor
New York, New York 10005
212-248-5200
Our File No. 07-0008

TO:

Abrams, Fensterman, Fensterman, Eisman, Greenberg, Formato & Einiger, LLP
Attorneys for Defendant(s)
NEW ENGLAND MOTOR FREIGHT, INC.
1111 Marcus Avenue, Suite 107
Lake Success, NY 11042
(516) 328-2300

The City of New York
Defendant
1 Center St, Room 1200
New York, New York 10007